

## **REMARKS**

### **I. Introduction**

Claims 1-7 were previously canceled via an initial preliminary amendment.

New claim 29 has been added.

Claims 8-29 are now pending in the application. However, claims 11-14 and 24-26 were previously withdrawn pursuant to an election/restriction requirement.

Independent claims 8 and 20 have been amended to further clarify the location of the pivot point in two defined configurations.

A request for continued examination (RCE) accompanies this paper.

Favorable consideration is respectfully requested in light of the foregoing clarifying amendments and the following remarks.

### **II. Claim Rejections Under 35 U.S.C. § 102**

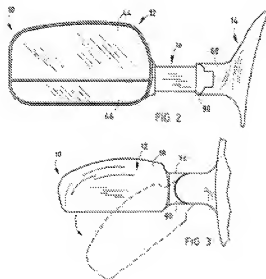
Claims 8-10, 15-23, 27 and 28 were rejected as being anticipated by U.S. Patent No. 6,239,928 to Whitehead et al. (Whitehead).

Again, as previously noted, the mirror disclosed by Whitehead is essentially an extension mirror of the type generally useful in towing a vehicle. Among other things, the assembly disclosed by Whitehead does not teach or disclose a slit that is formed between adjacent surfaces of the mirror foot (i.e., the mirror mounting bracket 14 of Whitehead) and mirror housing (i.e., the mirror subassembly 12 of Whitehead) in the manner as claimed.

Further, Applicant notes that the purported “slit” of Whitehead (i.e., a space formed between aforementioned elements 12 and 14 in FIG. 2) is not formed between adjacent surfaces of the mirror housing and mirror foot as claimed by Applicant. Nonetheless, for added clarification, independent claims 8 and 20 clarify that the pivot that relates to the claimed unit is outside of the mirror foot.

Figs. 2 and 3 from the Whitehead patent, reproduced below, embody the concept taught by Whitehead. Fig. 2 shows the Whitehead mirror assembly in an “extended position” (i.e., an “*unfolded orientation*”), while Fig. 3 is a plan view of the same assembly in a “folded position”

(a “folded orientation”). The primary components illustrated are the mirror subassembly 12 (equated to a “mirror housing”), the mirror mounting bracket 14 (equated to a “mirror foot”), and a mirror support arm 16 that provides for the extension of the mirror subassembly 12 to a plurality of extended positions from mirror mounting bracket. The support arm 16 includes an elongated body and is pivotally mounted to the mounting bracket 14.



Also, as previously noted in prior responses, the “pivot” associated with Whitehead is simply associated with a mounting flange 58 (see, e.g., Fig. 4) that is provided within the mirror mounting bracket 14. Clearly, among other things, Whitehead does not teach, or in any way suggest, a pivot for both the folded and unfolded orientations that is provided outside the mirror foot and within the mirror housing. That is, for example and without limitation, in the extended/unfolded orientation, such as generally shown in Figs. 1 and 2, there is no “pivot” that is provided outside the mirror foot and within the mirror housing.

Moreover, new claim 29 additionally states that the pivot for the folded and unfolded orientations is within the mirror housing. Whitehead further clearly does not disclose or suggest providing a pivot for the folded and unfolded orientations that is provided within the mirror housing with respect to both orientations.

Claims 9-10, 15-19 depend, directly or indirectly from claim 8, and claims 21-23, and 27 and 28 depend, directly or indirectly, from claim 20. Therefore, for at least the foregoing reasons, such claims are also not anticipated by Whitehead.

Moreover, pending claims 8-10, 15-23, 27 and 28 are also not obvious in view of Whitehead. As noted in Whitehead at column 7, lines 30-41, the assembly relies on a force to overcome a friction for a "break-away" at the position shown, for example, in FIG. 3. There is absolutely no teaching or suggestion to move the break-away or pivot point outside of the mirror mounting bracket.

Withdrawal of the rejections is therefore respectfully requested.

### **III. Conclusion**

For the above cited reasons, all of the claims presently pending in this application are believed to be allowable. If the Examiner has any further questions or concerns, the Examiner is encouraged to contact the Applicant's undersigned attorney.

Respectfully submitted,

Date: February 18, 2008

By: /John P. Guenther/  
John P. Guenther, Reg. No. 39,698  
DYKEMA GOSSETT PLLC  
39577 Woodward Avenue, Suite 300  
Bloomfield Hills, MI 48304  
(248) 203-0537  
ipmail@dykema.com  
Attorney for Applicants

BH01\833899.1  
IDJPGU